

Donald E Radonich Jr.
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FILED

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RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DONALD E RADONICH JR.,

CASE NO. C 07-3730 RMW (PR)

Petitioner,

MOTION TO OPPOSE APPLICATION

vs.

FOR ENLARGEMENT OF TIME TO FILE ANSWER

D.K. Sisto, et. al.

Respondent.

Petitioner hereby request respondents application for enlargement of time to file Answer be denied.

Petitioner originally filed a Writ of Habeas Corpus with this court on July 19, 2007. This court gave respondent an "ORDER TO SHOW CAUSE" on February 22, 2008. Respondents answer was due on April 22, 2008, but didn't ask for first "Application for Enlargement of time" until respondent was already 3 days late on April 25, 2008. Petitioner in good faith chose not to oppose respondents request. This court granted respondents motion for 60 day extention of time until June 21, 2008. On June 26, 2008, again five days late, respondent asks this court for an additional 30 day "ENLARGEMENT OF TIME TO FILE ANSWER.

WHEREFORE, because of respondents total disregard for timeliness

and conflicting reasons respondent is unable to file respondents answer, Petitioner respectfully ask this court to DENY respondents application for enlargement of time, dated June 26, 2008, and GRANT Petitioners Motion For Default Summary Judgement Dated June 29, 2008.

Respectfully submitted,



Donald E Radonich Jr. Dated; June 30, 2008

PROOF OF SERVICE BY MAIL

I hereby certify that I am over the age of 18 years of age, that I am representing myself, and that I am a prison inmate.

My prison address is: California State Prison - Solano
Housing: 15-I-210
P.O. Box 4000
Vacaville, California 95696-4000

On the "date" specified below, I served the following document(s) on the parties listed below by delivering them in an envelope to prison authorities for deposit in the United States Mail pursuant to the "Prison Mailbox Rule":

Case Name: Radonich vs. D.K. Sisto warden Case #: 007-3730 RMW (PR)

Document(s) Served: _____

Motion to oppose Application For
Enlargement of time to file Answer

The envelope(s), with postage fully pre-paid or with a prison Trust Account Withdrawal Form attached pursuant to prison regulations, was/were addressed as follows:

Office of the Attorney General
Department of Justice
455 Golden Gate Ave, Suite 11000
San Francisco, CA 94102-7004

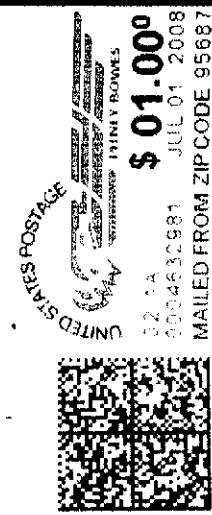
I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed on June 30, 2008, in Vacaville, California.

"date"

Signature:

Don Radaniel

Printed Name: Donald Radewich



CSP SOLANO
STATE PRISON

John Radowich P-23442
P-Solano 151240
Box 4000
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Office of the Clerk U.S. District Court
Northern District of California
280 South First Street, Rm 2112
San Jose CA 95113-3095

Legal Mail

 07/07/08 C. DeSelle